REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed May 19, 2005. Claims 1-37 remain pending in the present application. Reconsideration and allowance of the application and pending claims are respectfully requested.

1.   **Response To Objections of Drawing**

The drawings have been objected to as failing to comply with 37 CFR 1.84(p)(5) because Fig. 5 include reference character 560 that was not referenced in the description. Accordingly, Fig. 5 has been amended to remove the reference character 560. Thus, Applicants respectfully request withdrawal of the objection.

2.   **Response To Objections of the Abstract**

The abstract has been amended to provide additional details. Applicants believe the amendments overcome the objection to the abstraction and respectfully request the objection to be withdrawn.

3.   **Response To Objections of the Specification**

The specification has been amended to overcome the objection to the specification. In particular, the reference character on line 1, page 10 has been amended to read "514" instead of "014." Therefore, Applicants respectfully request withdrawal of the objection.

4.   **Response To Objections of the Claims**

Claim 34 has been objected to because of the informality of having two claims numbered "34." Accordingly, one of the claims has been canceled and been added as new claim 37. Therefore, Applicants respectfully request withdrawal of the objection.

5.   **Response To Rejections of Claims Under 35 U.S.C. § 102**

Claims 1-19, 22-32, and 34-36 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Yan* (U.S. Patent No. 6,003,065). Applicants respectfully traverse this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed subject matter must be represented in the applied reference to constitute a

proper rejection under 35 U.S.C. §102(b). In the present case, not every feature of the claimed subject matter is represented in the *Yan* reference. Applicants discuss the *Yan* reference and Applicants' claims in the following.

a.   Claim 1

As provided in independent claim 1, Applicants claim:

> A manager loadable printer comprising:
> *an application program loaded on the printer, wherein a manager invokes functionality on and receives results from the application program via an agent remotely located from the application program.*

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Yan* does not disclose, teach, or suggest at least "an application program loaded on the printer, wherein a manager invokes functionality on and receives results from the application program via an agent remotely located from the application program," as recited and emphasized above in claim 1.

Rather, *Yan* appears to disclose at most a process for establishing "a bidirectional communication between the selected peripheral device and the host computer for transmitting and receiving real-time information generated while the peripheral device is operating." Col. 21, lines 51-54. Further, a peripheral API is located on the peripheral device, such that the "peripheral API enables executable computer programs 226 to access functionality associated with a peripheral device such as printer 102B using hardware independent and architecturally neutral system calls." Col. 9, lines 32-36. Thus, *Yan* fails to teach or suggest at least "an application program loaded on the printer, wherein a manager invokes functionality on and receives results from the application program via an agent remotely located from the application program." As a result, *Yan* does not teach or suggest at least all of the claimed features of claim 1. Therefore, claim 1 is not anticipated by *Yan*, and the rejection should be withdrawn for at least this reason alone.

b.   Claims 2-5

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-5 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-5 contain all the elements and features of

independent claim 1. For at least this reason, the rejections of claims 2-5 should be withdrawn.

c. Claim 6

As provided in independent claim 6, Applicants claim:

> A method of instructing a printer having a virtual machine, the method comprising:
> providing an agent, the agent having an associated applet;
> loading the applet on the virtual machine; and
> executing the applet on the virtual machine, *wherein a manager invokes functionality on and receives results from the applet via the agent remotely located from the applet.*

(Emphasis added).

Applicants respectfully submit that independent claim 6 is allowable for at least the reason that *Yan* does not disclose, teach, or suggest at least "wherein a manager invokes functionality on and receives results from the applet via the agent remotely located from the applet," as recited and emphasized above in claim 6.

Rather, *Yan* appears to disclose at most a process for establishing "a bidirectional communication between the selected peripheral device and the host computer for transmitting and receiving real-time information generated while the peripheral device is operating." Col. 21, lines 51-54. Further, a peripheral API is located on the peripheral device, such that the "peripheral API enables executable computer programs 226 to access functionality associated with a peripheral device such as printer 102B using hardware independent and architecturally neutral system calls." Col. 9, lines 32-36. Thus, *Yan* fails to teach or suggest at least "wherein a manager invokes functionality on and receives results from the applet <u>via the agent remotely located from the applet</u>." As a result, *Yan* does not teach or suggest at least all of the claimed features of claim 6. Therefore, claim 6 is not anticipated by *Yan*, and the rejection should be withdrawn for at least this reason alone.

d. Claims 7-16

Because independent claim 6 is allowable over the cited art of record, dependent claims 7-16 (which depend from independent claim 6) are allowable as a matter of law for at least the reason that dependent claims 7-16 contain all the steps and features of independent claim 6. For at least this reason, the rejections of claims 7-16 should be withdrawn.

e.   <u>Claim 17</u>

As provided in independent claim 17, Applicants claim:

> A printer comprising:
> an applet;
> a virtual machine capable of executing the applet; and
> *an interface for communication between the printer and a remote agent, wherein the agent initiates management events including requesting amount of resources being utilized by each applet operating on the virtual machine.*

(Emphasis added).

Applicants respectfully submit that independent claim 17 is allowable for at least the reason that *Yan* does not disclose, teach, or suggest at least "an interface for communication between the printer and a remote agent, wherein the agent initiates management events including requesting amount of resources being utilized by each applet operating on the virtual machine," as recited and emphasized above in claim 17.

Rather, *Yan* appears to disclose at most a process for establishing "a bidirectional communication between the selected peripheral device and the host computer for transmitting and receiving real-time information generated while the peripheral device is operating." Col. 21, lines 51-54. Further, a peripheral API is located on the peripheral device, such that the "peripheral API enables executable computer programs 226 to access functionality associated with a peripheral device such as printer 102B using hardware independent and architecturally neutral system calls." Col. 9, lines 32-36. Thus, *Yan* fails to teach or suggest at least "an interface for communication between the printer and a <u>remote</u> agent, wherein <u>the agent initiates management events including requesting amount of resources being utilized by each applet operating on the virtual machine</u>." As a result, *Yan* does not teach or suggest at least all of the claimed features of claim 17. Therefore, claim 17 is not anticipated by *Yan*, and the rejection should be withdrawn for at least this reason alone.

f.   <u>Claims 18-19 and 22-24</u>

Because independent claim 17 is allowable over the cited art of record, dependent claims 18-19 and 22-24 (which depend from independent claim 17) are allowable as a matter of law for at least the reason that dependent claims 18-19 and 22-24 contain all the elements and features of independent claim 17. For at least this reason, the rejections of claims 18-19 and 22-24 should be withdrawn.

g.   **Claim 25**

As provided in independent claim 25, Applicants claim:

> A method of instructing a printer having a virtual machine comprising:
> serving an applet to the printer;
> executing the applet on the virtual machine to produce a result;
> *communicating the result from the printer to an agent remotely located from the printer; and*
> *communicating the result from the agent to a manager.*

(Emphasis added).

Applicants respectfully submit that independent claim 25 is allowable for at least the reason that *Yan* does not disclose, teach, or suggest at least "communicating the result from the printer to an agent remotely located from the printer; and communicating the result from the agent to a manager," as recited and emphasized above in claim 25.

Rather, *Yan* appears to disclose at most a process for establishing "a bidirectional communication between the selected peripheral device and the host computer for transmitting and receiving real-time information generated while the peripheral device is operating." Col. 21, lines 51-54. Further, a peripheral API is located on the peripheral device, such that the "peripheral API enables executable computer programs 226 to access functionality associated with a peripheral device such as printer 102B using hardware independent and architecturally neutral system calls." Col. 9, lines 32-36. Thus, *Yan* fails to teach or suggest at least "communicating the result from the printer to <u>an agent remotely located from the printer</u>; and communicating the result <u>from the agent to a manager</u>." As a result, *Yan* does not teach or suggest at least all of the claimed features of claim 25. Therefore, claim 25 is not anticipated by *Yan*, and the rejection should be withdrawn for at least this reason alone.

h.   **Claims 26-31**

Because independent claim 25 is allowable over the cited art of record, dependent claims 26-31 (which depend from independent claim 25) are allowable as a matter of law for at least the reason that dependent claims 26-31 contain all the steps and features of independent claim 25. For at least this reason, the rejections of claims 26-31 should be withdrawn.

i.   **Claim 32**

As provided in independent claim 32, Applicants claim:

> A printer comprising:
> an applet execution means for executing the applet; and
> interface means for communicating between the printer and a remote
> agent, ***wherein the remote agent initiates management events to be
> performed by the applet including requesting amount of resources being
> utilized by each applet operating on the printer.***

(Emphasis added).

Applicants respectfully submit that independent claim 32 is allowable for at least the reason that *Yan* does not disclose, teach, or suggest at least "wherein the remote agent initiates management events to be performed by the applet including requesting amount of resources being utilized by each applet operating on the printer," as recited and emphasized above in claim 32.

Rather, *Yan* appears to disclose at most a process for establishing "a bidirectional communication between the selected peripheral device and the host computer for transmitting and receiving real-time information generated while the peripheral device is operating." Col. 21, lines 51-54. Further, a peripheral API is located on the peripheral device, such that the "peripheral API enables executable computer programs 226 to access functionality associated with a peripheral device such as printer 102B using hardware independent and architecturally neutral system calls." Col. 9, lines 32-36. Thus, *Yan* fails to teach or suggest at least "wherein the <u>remote agent</u> initiates management events to be performed by the applet <u>including requesting amount of resources being utilized by each applet operating on the printer</u>." As a result, *Yan* does not teach or suggest at least all of the claimed features of claim 32. Therefore, claim 32 is not anticipated by *Yan*, and the rejection should be withdrawn for at least this reason alone.

j.   **Claims 34-36**

Because independent claim 32 is allowable over the cited art of record, dependent claims 34-36 (which depend from independent claim 32) are allowable as a matter of law for at least the reason that dependent claims 34-36 contain all the elements and features of independent claim 32. For at least this reason, the rejections of claims 34-36 should be withdrawn.

6.   **Response To Rejections of Claims Under 35 U.S.C. §103**

In the Office Action, claims 20 and 33 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Yan* in view of *Sokolov* (U.S. Patent No. 6,823,504). Claim 21 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Yan* in view of *Friedman* (U.S. Patent No. 6,763,499). It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. *See, e.g., In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

All of the claimed features of independent claims 17 and 32 are not taught and suggested by *Yan*, as previously discussed. Further, the cited art of *Sokolov* and *Friedman* fails to cure the deficiencies of the *Yan* reference in suggesting or teaching all of the claimed features in claims 20, 21, and 33 (which depend from respective independent claims 17 and 32). Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Yan* with the cited art has not been made. Therefore, the rejections of claims 20, 21, and 32 should be withdrawn.

7.   **New Claim**

Claim 37 has been newly added and is believed to be patentable over the cited art for at least the reason that claim 32 (from which claim 37 depends) is allowable over the cited art, as previously discussed.

CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 5. This sheet, which includes Fig. 5, replaces the original sheet including Fig. 5. In Fig. 5, reference character 560 has been omitted.

Attachment: Replacement Sheet